

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JOHN CRANNEY,

Defendant.

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Criminal No. 14-cr-10276-IT

ORDER

June 9, 2017

TALWANI, D.J.

On Defendant John Cranney's motions based on his medical condition, the court continued the trial originally set for April 3, 2017. Trial is now set to commence on August 14, 2017, allowing time for Defendant's "condition to ameliorate or stabilize." United States v. Zannino, 895 F.2d 1, 14 (1st Cir. 1990). There are no pending motions to continue the trial further, and the court does not currently anticipate granting further continuances.

If Defendant does seek a further continuance, he must demonstrate that "the medical repercussions" of proceeding to trial are "serious and out of the ordinary," and that the impending trial "pose[s] a substantial danger to [his] life or health." Id. "The mere possibility of an adverse effect on a party's wellbeing is not enough to warrant a postponement." Id. at 13. If a claim of medical dangerousness is made and supported with medical evidence, the court will balance the public interest in bringing Defendant to trial against the evidence regarding the medical repercussions, including medical reports, the Defendant's activities, the steps the Defendant is taking (or neglecting to take) to improve his health, the measures which can feasibly be implemented to reduce medical risks at trial, and whether delay will increase or decrease the foreseeable risks.

IT IS SO ORDERED.

/s/ Indira Talwani
United States District Judge